

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KENIA JACKELINE MERLOS,

Petitioner,

V.

KRISTI NOEM et al.,

Respondents.

CASE NO. 2:25-cv-01309-TL-SKV

ORDER ON MOTION FOR TEMPORARY RESTRAINING ORDER

This matter is before the Court on Petitioner Kenia Jackeline Merlos's Motion for Temporary Restraining Order ("TRO"). Dkt. No. 2. Having reviewed the motion and complaint (Dkt. No. 1), Petitioner's motion is GRANTED.

Petitioner has been detained since June 28, 2025, when she was taken into custody at the United States–Canada border in Blaine, Washington. Dkt. No. 2 at 2. On July 5, 2025, Petitioner retained counsel. *Id.* Petitioner has been unable to communicate with Counsel, however, and Petitioner’s counsel has been unable to obtain concrete or reliable information about Petitioner’s whereabouts. On July 10, 2025, Petitioner’s counsel was advised by United States Congresswoman Maxine Dexter that Petitioner was located at the Immigration and Customs

1 Enforcement (“ICE”)/Enforcement and Removal Operations (“ERO”) Seattle Field Office in
2 Tukwila, Washington. Dkt. No. 1 ¶ 27. Counsel was then advised that Petitioner was in United
3 States Customs and Border Protection (“CBP”) custody in Bellingham, Washington. *Id.* ¶ 30.
4 Counsel was then advised that Petitioner and Petitioner’s children were located at a CBP facility
5 in Ferndale, Washington. *Id.* ¶ 31. But on July 11, 2025, when Counsel visited the CBP facility
6 in Ferndale to speak to Petitioner, Counsel was advised that Petitioner was not there and was
7 instead en route to a facility in Seattle, Washington. *Id.* ¶ 32.

8 Petitioner has a pending U Visa. *Id.* ¶ 33. There is no indication that there is a final
9 removal order for Petitioner, nor is there any indication that Petitioner has been convicted of any
10 crime. *Id.* Although Petitioner has purportedly accepted a voluntary return to her country of
11 origin, Petitioner has expressed doubt that the voluntary return “was signed and whether i[t] was
12 in fact voluntary.” *Id.* ¶¶ 34, 37.

13 Respondents have not responded to Petitioner’s motion, and because it is unclear why
14 Petitioner has been serially re-located and denied contact with Counsel, the Court GRANTS
15 Petitioner’s motion pending Respondents’ response. The Court may grant a TRO to preserve the
16 Court’s jurisdiction and to maintain the status quo. *See A.A.R.P. v. Trump*, 145 S. Ct. 1364, 1369
17 (2025) (“Federal courts have “the power to issue injunctive relief to prevent irreparable harm to
18 the applicants and to preserve [] jurisdiction over the matter.”).

19 Respondents are ORDERED to respond, and the Parties are ORDERED to prepare for a
20 hearing on this matter at **1:00 p.m. on Friday, July 18, 2025.**

21 It is hereby ORDERED:

22 (1) Petitioner’s motion for a temporary restraining order (Dkt. No. 2) is GRANTED.

23 Respondents are prohibited from removing Petitioner from this jurisdiction—i.e.,
24 the Western District of Washington—without further order from this Court.

- (2) Respondents SHALL respond to Petitioner's motion **no later than 9:00 a.m. PDT on Thursday, July 17, 2025.**
- (3) Petitioner SHALL file a reply **no later than 5:00 p.m. PDT on Thursday, July 17, 2025.**
- (4) A hearing in this matter SHALL be set for **Friday, July 18, 2025, at 1:00 p.m. PDT.**

Dated this 14th day of July 2025.

Tana Lin
Tana Lin
United States District Judge